

Joint Meeting:
YADKIN COUNTY BOARD OF COMMISSIONERS
YADKIN COUNTY PLANNING BOARD
February 11, 2008

The Yadkin County Board of Commissioners met in Joint Session with the Yadkin County Planning Board on Monday, February 11, 2008 at 7:00 pm, in the Conference Room of the County Planning and Permits Building, 213 E. Elm Street, Yadkinville, NC. The Yadkin County Planning Board hosted and light refreshments were served.

Present for the meeting:

Representing the Board of Commissioners

Chair, Kim Clark Phillips
Vice Chairman, Joel Cornelius
Commissioner Brady Wooten
Commissioner Tommy Garner
Commissioner Chad Wagoner (absent from tonight's meeting)

Representing the Planning Board

Chair, Barry Hennings
Vice Chairman, Marion Welborn
Bob Reinhardt
Athalee Dinkins, alternate
Jerry Hutchens (absent from tonight's meeting)
Charles Holden (absent from tonight's meeting)

Yadkin County Personnel

Eric Williams, County Manager
James Graham, County Attorney
Gina Brown, Clerk to the Board

Yadkin County Planning and Development Staff

Kim Bates, Planning and Development Director
Melanie Yates, Planning Technician
Beth Sullivan, Planning Assistant

The Planning Board had 2 items of independent review prior to the Call to Order of the Board of Commissioners.

CALL TO ORDER by Chair Phillips for Board of Commissioners at 7:13 pm

ITEMS OF BUSINESS

- PUBLIC HEARING FOR REZONING REQUEST OF WILLIAM AND MIRIAM SHORES FOR PROPERTY LOCATED ON HEMRIC ROAD IN BOONVILLE FROM RA TO RG.

Commissioner Wooten made a motion to set a Public Hearing for Monday, March 17, 2008 for the rezoning request of William and Miriam Shores for property located on Hemric Road in Boonville from RA to RG. Vice Chair Cornelius second.

Vote: 4/0

- DISCUSSION OF TEMPORARY RELOCATION OF FORBUSH HIGH SCHOOL HUNTER SAFETY TEAM PRACTICE RANGE TO PROPERTY OF RICHARD JOYCE.

Parents, coaches, team members, and sponsors of the Forbush High School Hunter Safety Team were present for discussion of recent concerns of violation of the Yadkin County Noise Ordinance and/or the Yadkin County Zoning Ordinance. Representatives from Yadkin County Schools were present. Residents of the Binkley Road community were also present.

Planning Director Bates stated that there is a zoning issue with the current arrangement for the Forbush High School Hunter Safety Team. The Yadkin County Planning Department was not aware of the establishment of a firing range on Binkley Road until there was a complaint by others in the community. The Yadkin County Zoning Ordinance requires a Conditional Use Permit for the development of a firing range. The zoning ordinance defines a firing range as "an outdoor facility designed as a business or commercial enterprise for public use and used for the discharge of firearms at targets".

David Hutchens, Head Coach of the Forbush Hunter Safety Team, stated that school sponsored activities are exempt from the ordinance. Director Bates explained that the noise associated with school sponsored activities is exempt from the noise ordinance but does not relate to the zoning ordinance. Regardless of the sponsorship of the activity, the interpretation of the zoning ordinance is a firing range designed "as" a business or commercial enterprise. In the opinion of Director Bates, the firing range of the Hunter Safety Team is designed in size and scale to that of a commercial firing range and has the potential to be used for a profitable venture. In addition, the zoning ordinance states that a firing range must be at least 3000' from a residential structure and the range developed by the Hunter Safety Team does not meet that requirement.

Chair Phillips spoke on the importance of the Hunter Safety Teams to Yadkin County citing their many state and national championships. Not only does the success of the Hunter Safety Teams bring notoriety to Yadkin County; but it provides appropriate recreation, teaches cooperation, and promotes team spirit. Chair Phillips believed that all parties represented at tonight's meeting wished to compromise for the good of the teams and for the good of the young people of Yadkin County. Chair Phillips also wished to address the long-term solution in order to avoid these circumstances in the future.

Chair Phillips stated that her property on Wyo Road offers an area that would be at least 3000' from the nearest residential structure. Chair Phillips stated that she was willing for the Hunter Safety Teams to move to her property temporarily until the range can be reestablished at the new Middle School.

David Hutchens commented that the Hunter Safety Team had been notified only 2 weeks prior that they must move their firing range to an alternate location while the Middle School was being built. The Hunter Safety coaches and parents scrambled to find a place. Mr. Richard Joyce offered his property as a temporary site until the Team could return to the school property. Mr. Hutchens explained that a lot of time, effort, and work went into establishing the firing range on the Joyce property. This was not a task that was completed in an hour or two by a couple of people. This had been a major undertaking.

Rachel Joyce, co-property owner of the temporary site, commented that the Teams did not realize they would be displaced this season. The District Hunter Safety Competition will take place at the end of March. If you fail to qualify at the District Meet, you cannot move on to the State Tournament. Mrs. Joyce is concerned that relocating now will be detrimental to the Team.

Vice Chair Cornelius commented that Yadkin County Schools had failed the Hunter Safety Team by not making better preparation. Vice Chair Cornelius added that there needs to be a solution that will appease all parties without hurting the children involved in this program.

Judy Phillips and Jack Booze commented that the temporary firing range is only 943' from their residence on Binkley Road. Ms. Phillips and Mr. Booze stated that the shooting takes place on Tuesdays, Thursdays, and Saturdays. Ms. Phillips added that she is not opposed to the Hunter Safety Team, but does have a problem with the location of the temporary site.

Chair Phillips asked both Planning Director Bates and property owners Phillips and Booze if they would be willing to allow the Hunter Safety Team to continue practicing at the current location through the end of March while a conditional use permit is being obtained on Chair Phillips' property and the Team has completed participation in the District Tournament. Both Director Bates and property owners Booze and Phillips accepted the compromise.

Planning Board Chair, Barry Hennings, commented that the Board of Adjustment could be asked to have a special meeting to more quickly facilitate this process.

Some discussion continued with several audience members making comment. Among the speakers were Richard and Rachel Joyce, Jerry Connick, Bob Edwards, Larry and LuRae Doub, Tony Poindexter, and Buddy McDonald. There was an additional concern for the public's ability to shoot recreationally on his or her own property. Director Bates answered that those situations would be looked at on an individual basis. Shooting for personal use is not an issue unless there is a complaint. The complaint would be researched accordingly.

Vice Chair Cornelius made a motion to waive the permitting fee for Chair Phillips for Conditional Use in order to establish the Hunter Safety Team Practice Range on her property. Commissioner Garner second.
Attorney Graham advised against waiving the fee for a Board member. **Vice Chair Cornelius and Commissioner Garner rescinded their motion.**

Chair Phillips called for a recess at 8:20pm. The meeting resumed at 8:37pm.

■ REVIEW AND DISCUSSION OF TRANSFER OF DEVELOPMENT RIGHTS (TDR).

Planning Director Bates reviewed Transfer of Development Rights (TDR), a possible zoning option for Yadkin County. Director Bates briefly explained that this option offers the land owner flexibility and creativity in developing his own property. This option fits well with Yadkin County's overall plan. The TDR will discourage development in Rural Areas and prevent density increases in certain areas. The program is completely voluntary by the property owner.

Audience members Grady Draughn and Louisa Whitaker had additional questions and comments.

After some discussion, it was determined that this zoning option is worthy of examining further. The Yadkin County Board of Commissioners would like to see the Planning Board complete a further evaluation and bring the TDR before the Board at some point in the future.

Planning Board Chair, Barry Hennings offered that the Planning Board may table the discussion of the TDR for a future meeting. A motion was made as such and passed by the Planning Board.

Vice Chair Cornelius made a motion to adjourn. Commissioner Wooten second.

Vote: 4/0

Meeting adjourned at 9:24pm.

Prepared and Approved by Clerk to the Board of Commissioners